REMARKS

Applicant thanks Examiner Nguyen for the interview conducted on February 23, 2011 and for agreeing during the interview that the references cited in the Office Action fail to disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period.

Claims 1, 3, 6-8, 15, 25, and 33-36 are pending. Claims 1, 3, 6-8, 15, and 25 have been amended. New claims 33-36 have been added. Claims 2, 4, 5, 9-14, 16-24, and 26-32 have been canceled without prejudice or disclaimer. Support for the new claims and the claim amendments may be found in the application as filed. No new matter has been added.

35 U.S.C. § 112

The Office has rejected claims 1, 5, 15, 28, and 29, at paragraph 3 of the Office Action, under 35 U.S.C. § 112 first paragraph. Claims 5, 28, and 29 have been canceled without prejudice or disclaimer, rendering the rejections moot. Claims 1 and 15 have been amended to remove the language cited by the Office as the basis for this rejection. As such, Applicant respectfully requests the remaining 35 U.S.C. § 112 rejections be withdrawn.

Claims 1, 8, 15, and 25 are Allowable

The Office has rejected claims 1, 5, 8, 15, 25, 29, and 30, at paragraph 5 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 7,376,144 ("Levi"), in view of U.S. Patent No. 5,459,600 ("Davis"), and in further view of U.S. Patent No. 6,996,134 ("Renucci"). Claims 5, 29, and 30 have been canceled without prejudice or disclaimer. Applicant respectfully traverses the remaining rejections.

Claims 1, 8, and 25

Applicant thanks Examiner Nguyen for agreeing during the interview that the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period. Therefore, the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period associated with the first pulse, as in claim 1. Therefore, the cited portions of the references cited in the Office Action do not disclose or suggest at least one element of claim 1. Hence, claim 1 is allowable. Claims 8 and 25 are allowable, at least by virtue of their dependence from claim 1.

Claim 15

Applicant thanks Examiner Nguyen for agreeing during the interview that the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period. Therefore, the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of

pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period of the first pulse, as in claim 15. Therefore, the cited portions of the references cited in the Office Action do not disclose or suggest at least one element of claim 15. Hence, claim 15 is allowable.

Claim 6 is Allowable

The Office has rejected claim 6, at paragraph 6 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, and in further view of U.S. Patent No. 6,831,981 ("Edasawa"). Applicant respectfully traverses the rejection.

Applicant thanks Examiner Nguyen for agreeing during the interview that the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period. Therefore, the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period associated with the first pulse, as in claim 1, from which claim 6 depends. Hence, claim 6 is allowable, at least by virtue of its dependence from an allowable claim.

Claim 7 is Allowable

The Office has rejected claim 7, at paragraph 7 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, in view of Edasawa, and in further view of U.S. Published Application No. 2004/0264400 ("Lee"). Applicant respectfully traverses the rejection.

Applicant thanks Examiner Nguyen for agreeing during the interview that the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period. Therefore, the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period associated with the first pulse, as in claim 1, from which claim 7 depends. Hence, claim 7 is allowable, at least by virtue of its dependence from an allowable claim.

Claims 2 and 16

The Office has rejected claims 2 and 16, at paragraph 8 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, and in further view of U.S. Patent No. 6,479,978 ("Aliahmad"). Claims 2 and 16 have been canceled without prejudice or disclaimer, rendering the rejection moot.

Claim 3 is Allowable

The Office has rejected claims 3, 4, 17, 27, 31, and 32, at paragraph 9 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, and in further view of U.S. Patent No. 6,608,874 ("Beidas"). Claims 4, 17, 27, 31, and 32 have been canceled without prejudice or disclaimer. Applicant respectfully traverses the remaining rejection.

Applicant thanks Examiner Nguyen for agreeing during the interview that the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period. Therefore, the references cited in the Office Action do not disclose or suggest phase modulating a first pulse of a plurality of pulses (associated with an asynchronous transfer mode signal) by a first shift amount based on a first plurality of bits associated with an internet protocol signal to produce a first combined asynchronous transfer mode/internet protocol signal, the first combined asynchronous transfer mode/internet protocol signal including the first pulse associated with the asynchronous transfer mode signal and the first plurality of bits associated with the internet protocol signal, where the first shift amount does not exceed a tolerance of a symbol period associated with the first pulse, as in claim 1, from which claim 3 depends. Hence, claim 3 is allowable, at least by virtue of its dependence from an allowable claim.

Claim 26

The Office has rejected claim 26, at paragraph 10 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, and in further view of U.S. Patent No. 6,940,859 ("Czerwiec"). Claim 26 has been canceled without prejudice or disclaimer, rendering the rejection moot.

Claim 28

The Office has rejected claim 28, at paragraph 11 of the Office Action, under 35 U.S.C. § 103(a), as being unpatentable over Levi, in view of Davis, in view of Renucci, and in further view of U.S. Patent No. 5,432,627 ("Nishio"). Claim 28 has been canceled without prejudice or disclaimer, rendering the rejection moot.

CONCLUSION

Applicant has pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.
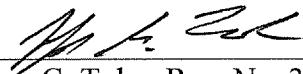
Any changes to the claims in this response that have not been specifically noted to overcome a rejection based upon the cited references should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date

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